

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CHRISTOPHER J. WALSH, as he is ADMINISTRATOR,
CONSTRUCTION TEAMSTERS HEALTH AND
WELFARE FUND and INTERNATIONAL
BROTHERHOOD OF TEAMSTERS, LOCAL 379,
Plaintiffs

C.A. No. 04-12053 GAO

vs.

BAY STATE SWEEPING & CONSTRUCTION CORP.,
Defendant

and

EASTERN BANK,
Trustee

**PLAINTIFFS' MOTION TO WITHDRAW MOTION
FOR PRELIMINARY INJUNCTION**

Plaintiffs Christopher J. Walsh, as he is Administrator, Construction Teamsters Health and Welfare Fund, et al. herein respectfully move this honorable Court to withdraw Plaintiffs' Motion for Preliminary Injunction, filed on January 11, 2005 and scheduled for hearing on March 14, 2005. As grounds therefore, Plaintiffs state as follows:

1. Defendant has now submitted all payroll documents necessary to an audit of its books and records for the period January 1, 2000 to the present to determine the amount, if any, Defendant owes the Plaintiff Fund.

WHEREFORE, Plaintiffs respectfully move this honorable Court to withdraw their

Motion for Preliminary Injunction.

Respectfully submitted,

CHRISTOPHER J. WALSH, as he is
ADMINISTRATOR, of the
CONSTRUCTION TEAMSTERS
HEALTH AND WELFARE FUND, et al,

By their attorneys,

/s/ Gregory A. Geiman
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Dated: March 11, 2005

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Plaintiff's Motion to Withdraw Motion for Preliminary Injunction has been served by certified and first class mail upon the defendant, Bay State Sweeping and Construction Corp. at 369 3rd Street, Everett, MA 02149 this 11th day of March, 2005.

/s/ Gregory A. Geiman
Gregory A. Geiman, Esquire